IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 4653 OF 2004

Vilash Chhanna Shinde ... Applicant

versus

The State of Maharashtra ... Respondent

...

Mr. Manoj J. Bhatt, for the Applicant.

Mr. K.V. Saste, A.P.P., for the Respondent.

...

CORAM : A.M.KHANWILKAR,J.

1st November 2004

P.C.:

. Heard Counsel for the parties. Perused the record. I see no reason to entertain this application for bail. It is common ground that this is a third application for bail before this Court, and second after filing of charge sheet. The first point argued on behalf of the Applicant is that there is no material even to remotely suggest application of section 307 of the Indian Penal Code. This contention cannot be gone into, assuming that such an argument is available in

successive bail application filed by the Applicant. That course is not open to me. Moreover, it cannot be said to be a changed circumstance. The second argument canvassed before me is that the Applicant is having 8 children and the Court may adopt humanitarian consideration in releasing the Applicant on bail. I see no reason to accept this submission. Once again, this cannot be said to be a changed circumstance to entertain successive bail application and the plea as canvassed in this application. Moreover, I find substance in the argument of the learned A.P.P. that having regard to the antecedents of the Applicant, this is not a case for grant of bail. Hence, dismissed. The District & Sessions Judge, Thane, is directed to assign the case to Fast Track Court to ensure early disposal of the case. The Applicant to co-operate the trial Court for expeditious disposal of the case. If the trial Court is of the opinion that the Applicant is responsible for creating obstacles in the smooth progress of the trial, that fact be recorded in the roznama, which aspect will be considered in the event grievance is made before this Court that the trial is being protracted by the

Applicant.

. Parties to act on the authenticated copy of this order.

(A.M.KHANWILKAR,J.)